IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 14 OF 2006

Mr.Babalu Satyanarayan Maurya & Anr. ...Applicants
V/s.
The State of Maharashtra. ...Respondent

Ms.Anjali Patil for Applicants.
Ms.Y.S. Shinde, APP for State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 16, 2006

P.C. :-

. Heard learned Counsel for the applicants and learned APP for the State.

. The applicants have been arrested by Kurar Police Station in connection with C.R.No.137/2005 for offence punishable under Sections 399, 402 of the IPC and Section 3, 4 and 25 of the Arms Act and Section 37(i)(O) read with Section 135 of the Bombay Police Act.

2. The prosecution case in brief is that information was received by the respondent that 4-5 persons were going to commit dacoity with deadly weapons and accordingly, the police raided the said spot and the accused were red-handed alongwith others.

3. Learned APP appearing on behalf of the State submitted that the applicants are involved in other similar cases and do not have a fixed place residence in Mumbai.

4. Learned Counsel for the applicants submits that applicants are in jail since last two years and the trial is not likely to be over as so far the charge has not been framed against the present applicants.

5. It is not possible to accept this submission of the learned Counsel for the applicants considering the past antecedents and seriousness of the offence and thirdly the applicants do not have a fixed place of residence in Mumbai.

6. Application for bail is rejected. The trial Court, however, is directed to expedite the hearing of the trial. If the trial is not over within a period of one year, liberty is granted to the applicants to apply for bail.

(V.M. KANADE, J.)